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Harshaw, U.S. settle pollution suit

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The Harshaw Chemical Co., the U.S. Justice Department and the U.S. Environmental Protection Agency have tentatively agreed on a water pollution cleanup program settling the Government's pollution case against the firm's Elyria plant.

Attorneys for both sides told Federal Court Judge William K. Thomas they have reached tentative agreement on a consent de-

creed to be filed with the court probably late this week.

After the lawyers reported to Judge Thomas they were still in disagreement on several major points yesterday, he recommended they meet further. After several hours they reported back that an understanding had been reached.

The civil action against Harshaw, a division of the Dewanee Oil Co., was filed

by the Government 20 months ago. It charged the firm was violating the 1899 Refuse Act with discharges of mercury, acids and dissolved, suspended and settleable solids into the Black River.

One of the major points in contention, it was learned, was the Government's insistence that Harshaw dredge the Black River to remove deposits of poisonous mercury that still might remain from the plant's discharges.

That requirement will not be contained in the consent decree. However, the Government is expected to reserve the right to return to court on the mercury issue if and when additional in-

formation indicates it should, it was learned.

The agreement once filed will be available for the public to examine and comment on for 30 days.

If it receives approval from the public and Judge Thomas, it is expected the

decree will be adopted by the court and will set out the details of a water pollution clean up program for Harshaw.

It will require interim compliance by June 30, 1975, and total compliance by Dec. 31, 1976.